

11/09/01
JC885 U.S. PTO

PATENT
Customer Number 22,852
Attorney Docket No. 8636.0001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION

COMMISSIONER FOR PATENTS AND TRADEMARKS

Washington, D.C. 20231

Prior Application Art Unit: 1656 Prior Application Examiner: T. Strzelecka

SIR: This is a request for filing a

☐ Continuation ☐ Continuation-in-Part ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/721,975 filed November 27, 2000 of Gregory A. HAIR and Scott D. BODEN for NOVEL BONE MINERALIZATION PROTEINS, DNA, VECTORS, EXPRESSION SYSTEMS

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application no. 09/721,975 as originally filed on November 27, 2000, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☐ Cancel Claims.
5. ☒ A Preliminary Amendment is enclosed.
6. ☐ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$740	\$ \$740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	15	-	20	0	x \$18	0
Independent Claims	2	-	3	0	x \$84	0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	0
Subtotal						\$ 740.00
Reduction by 1/2 if small entity						-

LAW OFFICES
FINNEGAN, HENDERSON,
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09/986625
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TOTAL APPLICATION FILING FEE	\$ 740.00
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7. ☒ A check in the amount of \$740.00 to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Amend the specification by inserting before the first line, the following new paragraph:
- This is a division of application no. 09/721,975, filed November 27, 2000, which is a continuation of application no. 09/124,238, filed July 29, 1998, issued as U.S. Patent No. 6,300,127 on October 9, 2001, which claims the benefit of provisional application nos. 60/054,219, filed July 30, 1997, and 60/080,407, filed April 2, 1998, which are incorporated herein by reference.
10. ☐ New formal drawings are enclosed.
11. ☐ The prior application is assigned of record to: Emory University
12. ☐ Priority of application Serial No. [Text], filed on [Text] in [Country] is claimed under 35 U.S.C. § 119. A certified copy
- ☐ is enclosed or ☐ is on file in the prior application.
13. ☐ Small entity status is appropriate and applies to this application.
14. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup,

15. ☒ The power appears in the original declaration of the prior application.

16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**

18. ☐ Recognize as associate attorney _____

19. ☐ Also enclosed is _____

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Steven P. O'Connor
Steven P. O'Connor
Reg. No. 41,225

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